

Remarks

Finality of second office action

1. In Paragraph 8 of the second office action, the Examiner has made the action final on the basis that “applicant’s amendment necessitated the new ground(s) of rejection presented in this office action.”
2. The amendments made 04 July 2008 in response to the first office action were:
In claims 1 and 14, changing
“held edge-to-edge in a strip”
to
--connected by their edges edge-to-edge in a strip--.
In claims 12 and 20, changing:
“a further such strip (52) held together with and readily separable from the first-mentioned strip (50).”
to
--a further such strip (52), the strips being connected by their edges edge-to-edge and being readily separable from each other.--
3. For the reasons which will be discussed below, the Applicant submits that the new grounds for rejection in the second office action are equally applicable or inapplicable before and after the amendments of 04 July 2008, and therefore that these amendments did not necessitate the new grounds of rejection presented in the second office action. The applicant therefore respectfully requests that the finality of the second office action be withdrawn.

Claim rejections under 35 USC 102(b)

4. The primary reference relied on in the second office action is EP 0126833A, Norberg. Claims 1, 5, 10, 11 and 14 to 19 have been rejected as being anticipated by Norberg.

Norberg

5. Norberg describes a rolled web of plastic pockets on a backing sheet of protective paper 18, and a machine for unrolling the web, for inserting dispatch notes or other communications into the pockets and for separating the plastic pockets from the protective paper 18. Referring to page 3, lines 1

to 9, the pockets comprise two plastic films which are welded together along a bottom weld 1 and two lateral welds 2, 3, with perforations 6 between adjacent pockets. The lower plastic film has an adhesive outer surface covered by the protective paper 18. The perforations go through the plastic films, but not through the protective paper 18. The web of protective paper is therefore continuous. This is said to be an essential characteristic feature of the invention of Norberg. The plastic pockets are described at page 8, lines 18 and 20, as being “relatively soft.” Referring to Figures 1 and 2, the width of the opening device 14 is about equal to the width of each pocket. It will therefore be appreciated that the web of pockets and protective paper are curved tightly around the roller 12 in Figure 2, with the radius of curvature appearing to be approximately one quarter of the width of each pocket, and with the curve extending through an angle of about 75 degrees.

6. Norberg also describes (page 2, lines 10 to 14, and page 3, lines 9 to 11) an alternative prior art arrangement in which the perforations between the pockets also pass through the protective paper.

Independent claim 1

7. Claim 1 reads as follows:

1. An information display arrangement comprising a plurality of pockets (10), each pocket having a front panel (14) and a back panel (16), at least one edge (22) of each pocket being open so that a piece (26, 44) of writing material can be inserted into that pocket, each front panel being sufficiently transparent to enable such a piece of writing material in the respective pocket to be seen through the front panel from the outside, the back panels being integrally formed with each other and connected by their edges edge-to-edge in a strip with means defining lines (28; 42) between adjacent pockets along which those pockets can be readily separated, the back panels being **sufficiently brittle** that they can **readily be snapped apart** along the separation lines, and the back of the strip being self-adhesive (*at 30; 46*) to enable the pocket(s) separated from the strip to be adhered to a surface (38).

8. The Examiner has read every feature of claim 1 onto Norberg. The Applicant agrees that Norberg possesses many of the features of claim 1. However, the Applicant submits that Norberg does not disclose or suggest the feature of claim 1 that the back panels are sufficiently brittle that they can readily be snapped apart along the separation lines. At <http://en.wikipedia.org/wiki/Brittleness>, Wikipedia provides the following definition of brittleness:

“A material is brittle if it is liable to fracture when subjected to stress. That is, it has little tendency to deform (or strain) before fracture. This fracture absorbs relatively little energy, even in materials of high strength, and usually makes a snapping sound.

“When used in materials science, it is generally applied to materials that fail in tension rather than shear, or when there is little or no evidence of plastic deformation before failure.”

9. By contrast, and as discussed in paragraph 5 above, Norberg describes the plastic pockets as being relatively soft, and shows them as capable of being curved (deformed) through an angle of about 75 degrees around the roller 12 without failure. Applicant submits that “soft” is an opposite of “brittle” and that a plastic pocket which can be curved through an angle of about 75 degrees shows a great ability to deform. The Applicant therefore submits that Norberg does not disclose all of the features of claim 1, and indeed teaches the opposite of the feature presently discussed, and accordingly that claim 1 is not anticipated by Norberg.

Finality of the second office action

10. Referring back to the discussion in paragraphs 2 and 3 above concerning the finality of the second office action, the Applicant submits that the back panels of the pockets in Norberg are not only held edge-to-edge in a strip but are also connected by their edges edge-to-edge in a strip. The Applicant therefore submits that this previous amendment to claim 1 did not necessitate the current rejection of claim 1.

Dependent claims 5, 10 and 11

11. Claims 5 and 10 to 13 are dependent on claim 1 and are distinguished from Norberg at least for the reasons described above with respect to claim 1.

Independent claim 14

12. Claim 14 as now amended reads as follows:

14. An information display arrangement comprising a plurality pockets (10), each pocket having a front panel (14) and a back panel (16), at least one edge (22) of each pocket being open so that a piece (26,44) of writing material can be inserted into that pocket, each front panel being sufficiently transparent to enable such a piece of writing material in the respective

pocket to be seen through the front panel from the outside, the pockets being connected by their edges edge-to-edge in a strip in such a way that one or more of the pockets can be readily separated from the remainder of the strip, the pockets being integrally formed with each other in the strip with means defining lines (28;42) between adjacent pockets along which those adjacent pockets can be readily separated, the back of the strip being self-adhesive (at 30;46) to enable the pocket(s) separated from the strip to be adhered to a surface (38) and the arrangement further including **a series of separate backing pieces (44) each covering the self-adhesive back of a respective one of the pockets**, each backing piece being peelable from the respective pocket to expose the self-adhesive back of the respective pocket.

13. Claim 14 has now been amended to make it absolutely clear that the backing pieces are separate, although the Applicant submits that this was implicit in previous claim 14.

14. The Examiner has read every feature of claim 14 in its previous form onto Norberg. The Applicant agrees that Norberg possesses many of the features of claim 14. However, the Applicant submits that Norberg does not disclose or suggest the feature of claim 14 of **a series of separate backing pieces each covering the self-adhesive back of a respective one of the pockets**.

15. By contrast, and as discussed at paragraph 5 above, the perforations 6 of the embodiments of the invention of Norberg do not go through the protective paper 18. As a result, in Norberg, the protective paper is continuous for the whole web.

16. Also, as discussed at paragraph 6 above, the perforations of the prior art described in Norberg do pass through the protective paper. However, because they are perforations rather than complete cuts, the perforations do not divide the protective paper up into “pieces” (as previously claimed) or “separate pieces” (as now claimed). As a result, the protective paper is still continuous for the whole web.

17. Norberg therefore does not disclose or suggest separate backing pieces each for a respective one of the pockets. Accordingly, the Applicant submits that claim 14 is not anticipated by Norberg.

Finality of the second office action

18. Referring back to the discussion in paragraphs 2 and 3 above concerning the finality of the second office action, the Applicant again submits that the back panels of the pockets in Norberg are not only held edge-to-edge in a strip but are also connected by their edges edge-to-edge in a strip. Applicant

therefore submits that this previous amendment to claim 14 did not necessitate the current rejection of claim 14.

Dependent claim 15

19. Claim 15 is dependent on claim 14 and is distinguished from Norberg by the feature described in relation to claim 14.

20. Furthermore, claim 15 as now amended reads as follows:

15. An information display arrangement as claimed in claim 14, wherein each backing piece is a piece of writing material of a size such that it can be inserted **without folding** into the respective pocket.

21. In the prior art discussed at page 2, lines 10 to 14, of Norberg and in paragraph 6 above, it would appear that, when the web is torn along the perforations, the torn-off pocket and its piece of torn-off protective paper will have the same size, as suggested by the examiner. However, the inside width of the pocket is less than the outside width of the pocket due to welds along the sides of the pocket (page 2, lines 6 to 8, and Figure 1 of Norberg). Therefore, the width of the piece of protective paper will be greater than the inside width of the pocket so that the piece of protective paper cannot be inserted without folding into the pocket. Accordingly, the Applicant submits that, for this reason also, claim 15 is not anticipated by Norberg.

Dependent claim 16

22. Claim 16 is dependent on claim 14 and is distinguished from Norberg at least for the reasons described above with respect to claim 14.

Dependent claim 17

23. Claim 17 is dependent on claim 14 and is distinguished from Norberg at least for the reasons described above with respect to claim 14. Furthermore, claim 17 includes the same feature that distinguishes independent claim 1 from Norberg, as discussed in paragraphs 8 and 9 above, and is therefore not anticipated by Norberg for that reason also.

Dependent claims 18 and 19

24. Claims 18 and 19 are dependent on claim 14 and are distinguished from Norberg at least for the reasons described above with respect to claim 14.

Claim rejections under 35 USC 103

25. Claims 12, 13, 20 and 21 have been rejected under 35 USC 103 as being unpatentable over Norberg in view of US 4193498, Rowling.

Dependent claims 12 and 13

26. Claims 12 and 13 are dependent on claim 1, which the Applicant has submitted above is not anticipated by Norberg. The Applicant submits that Rowling does not disclose or suggest the distinguishing features of claim 1, and Rowling has not been used by the Examiner to do so. The Applicant therefore submits that claims 12 and 13 are distinguished from Norberg in view of Rowling at least by the features discussed above in connection with claim 1.

Dependent claims 20 and 21

27. Claims 20 and 21 are dependent on claim 14, which the Applicant has submitted above is not anticipated by Norberg. The Applicant submits that Rowling does not disclose or suggest the distinguishing features of claim 14, and Rowling has not been used by the Examiner to do so. The Applicant therefore submits that claims 20 and 21 are distinguished from Norberg in view of Rowling at least by the features discussed above in connection with claim 14.

Finality of the second office action

28. Referring back to the discussion in paragraphs 2 and 3 above concerning the finality of the second office action, the Applicant again submits that Rowling discloses not only a further such strip held together with and readily separable from a first-mentioned strip, but also a further such strip, the strips being connected by their edges edge-to-edge and being readily separable from each other. Applicant therefore submits that this previous amendments to claims 12 and 20 did not necessitate the current rejection of claims 12 and 20.

Corresponding patents in other countries

29. As mentioned in the Applicant's response to the first office action, the Applicant's corresponding foreign patents GB2401347B and EP1623404B have been granted with main claims corresponding in scope to claim 14 of the present application, and the Applicant's corresponding foreign patent GB2401348B has been granted with a main claim corresponding in scope to claim 1 of the present application. Norberg was considered by the examiners of the European and British Patent Offices during the prosecution of the European and British applications, and the claims were allowed over Norberg.

Conclusion

30. Applicant believes that she has responded fully to all of the matters raised in the office action and that all of the claims of the application are allowable. A notice of allowance is therefore respectfully solicited.

Respectfully submitted

/ John V Stewart #38627 /

John V Stewart, patent agent #38627
1308 Henry Balch Dr., Orlando FL 32810
407-629-5240, patents@jvsinventions.com